

1 Adam P. Segal, Esq.
Nevada Bar No. 6120
2 Bryce C. Loveland, Esq.
Nevada Bar No. 10132
3 Christopher M. Humes, Esq.
Nevada Bar No. 12782
4 BROWNSTEIN HYATT FARBER SCHRECK, LLP
100 North City Parkway, Suite 1600
5 Las Vegas, Nevada 89106-4614
6 Telephone: (702) 382-2101
Facsimile: (702) 382-8135
7 Email: asegal@bhfs.com
Email: bcloveland@bhfs.com
8 Email: chumes@bhfs.com

9 *Attorneys for Plaintiffs*

10
11 **UNITED STATES DISTRICT COURT**
12 **DISTRICT OF NEVADA**

13 BOARD OF TRUSTEES OF THE
14 PLUMBERS AND PIPEFITTERS LOCAL
525 HEALTH AND WELFARE TRUST
15 AND PLAN; BOARD OF TRUSTEES OF
THE PLUMBERS AND PIPEFITTERS
16 UNION LOCAL 525 PENSION PLAN;
AND BOARD OF TRUSTEES OF
17 PLUMBERS AND PIPEFITTERS LOCAL
UNION 525 APPRENTICE AND
18 JOURNEYMAN TRAINING TRUST FOR
SOUTHERN NEVADA,

19
20 Plaintiffs,

21 vs.

22 STRONG MAN SERVICES, INC. dba
SMS Mechanical, a Nevada corporation;
23 LINDA NASH, an individual;
AFFORDABLE CONCEPTS, INC., a
24 Nevada corporation, BENTAR
DEVELOPMENT, INC., a Nevada
25 corporation; B & R BUILDERS, INC. dba
Breslin Builders, a Nevada corporation;
26 DAKEM & ASSOCIATES, LLC, a Nevada
limited liability company; KITTRELL
27 JENSEN CONTRACTORS, LLC, a
Nevada limited liability company;
28 LAFARGO, INC. dba LaFargo Builders, a

Case No. 2:17-cv-01784-RFB-VCF

**STIPULATION AND ORDER TO
EXTEND DISCOVERY**

FIRST REQUEST

Nevada corporation; LEDCOR
CONSTRUCTION, INC., a Washington
corporation; NORTH WIND
ENVIRONMENTAL, INC., an Arkansas
corporation; THE PENTA BUILDING
GROUP, LLC, a Nevada limited liability
company; SCI CONSTRUCTION, L.P., a
Texas limited partnership; SR
CONSTRUCTION, INC., a Nevada
corporation; STARKE, INC. dba Starke
Contractors, a Nevada corporation; UHS
OF DELAWARE, INC., a Delaware
corporation; NORTH RIVER INSURANCE
COMPANY aka Crum & Forster, a
Pennsylvania corporation,

Defendants.

Plaintiffs Boards of Trustees of the Plumbers and Pipefitters Union Local 525 Health and Welfare Trust and Plan, the Plumbers and Pipefitters Union Local 525 Pension Plan, and the Plumbers and Pipefitters Local Union 525 Apprentice and Journeyman Training Trust for Southern Nevada (collectively "Trust Funds"), by and through their counsel of record Brownstein Hyatt Farber Schreck, LLP; Defendant Affordable Concepts, Inc., ("Defendant Affordable") by and through its counsel of record Pinar Albiston, LLP; and Defendants Linda Nash, Strong Man Services, Inc., dba SMS Mechanical, Bentar Development, Inc., Kittrell Jensen Contractors, LLC, LaFargo, Inc. dba LaFargo Builders, Ledcor Construction, Inc., North Wind Environmental, Inc., SCI Construction, L.P., SR Construction, Inc., Starke, Inc., dba Starke Contractors and UHS of Delaware, Inc. (collectively "Strong Man Defendants") (Defendant Affordable and Strong Man Defendants collectively referred to as "Defendants"), by and through their counsel of record Fisher & Phillips, LLC, hereby stipulate and agree that the Scheduling Order (EFC No. 71) in this case be extended sixty (60) days from the current discovery deadline of February 19, 2018, to April 20, 2018, and the dispositive motion deadline be extended from March 21, 2018, to May 21, 2018. This is first request to extend the discovery deadline and is being made more than 21 days prior to the close of discovery.

A. DISCOVERY COMPLETED:

1. 10/19/2017 Defendant Affordable's Initial Disclosures and Witnesses.
2. 10/20/2017 Trust Funds' Initial Disclosures and Witnesses.
3. 11/1/2017 Trust Funds' Revised Initial Disclosures and Witnesses.
4. 12/15/2017 Defendant Strong Man's and Defendant Linda Nash's Initial Disclosures and Witnesses.
5. 12/19/2017 Defendant LaFargo's Initial Disclosures and Witnesses.
6. 12/19/2017 Defendant North Wind's Initial Disclosures and Witnesses.
7. 12/19/2017 Defendant Starke's Initial Disclosures and Witnesses.
8. 12/22/2017 Trust Funds' First Supplemental Initial Disclosures.
9. 12/22/2017 Trust Funds' First Admissions to Defendant Affordable.
10. 12/22/2017 Trust Funds' First Admissions to Defendant Bentar Development, Inc.
11. 12/22/2017 Trust Funds' First Admissions to Defendant Kittrell Jensen Contractors, LLC.
12. 12/22/2017 Trust Funds' First Admissions to Defendant LaFargo, Inc.
13. 12/22/2017 Trust Funds' First Admissions to Defendant Ledcor Construction, Inc.
14. 12/22/2017 Trust Funds' First Admissions to Defendant Linda Nash.
15. 12/22/2017 Trust Funds' First Admissions to Defendant North Wind Environmental, Inc.
16. 12/22/2017 Trust Funds' First Admissions to Defendant SCI Construction L.P.
17. 12/22/2017 Trust Funds' First Admissions to Defendant SR Construction, Inc.
18. 12/22/2017 Trust Funds' First Admissions to Defendant Starke, Inc.
19. 12/22/2017 Trust Funds' First Admissions to Defendant Strong Man.
20. 12/22/2017 Trust Funds' First Admissions to Defendant UHS of Delaware, Inc.
21. 12/22/2017 Trust Funds' First Interrogatories to Affordable.
22. 12/22/2017 Trust Funds' First Interrogatories to Bentar Development, Inc.
23. 12/22/2017 Trust Funds' First Interrogatories to Defendant Kittrell Jensen Contractors, Inc.
24. 12/22/2017 Trust Funds' First Interrogatories to Defendant LaFargo, Inc.
25. 12/22/2017 Trust Funds' First Interrogatories to Defendant Ledcor Construction, Inc.

- 1 26. 12/22/2017 Trust Funds' First Interrogatories to Defendant Linda Nash.
- 2 27. 12/22/2017 Trust Funds' First Interrogatories to Defendant North Wind
Environmental, Inc.
- 3 28. 12/22/2017 Trust Funds' First Interrogatories to Defendant SCI Construction, L.P.
- 4 29. 12/22/2017 Trust Funds' First Interrogatories to Defendant SR Construction, Inc.
- 5 30. 12/22/2017 Trust Funds' First Interrogatories to Defendant Starke, Inc.
- 6 31. 12/22/2017 Trust Funds' First Interrogatories to Defendant Strong Man.
- 7 32. 12/22/2017 Trust Funds' First Interrogatories to Defendant UHS of Delaware, Inc.
- 8 33. 12/22/2017 Trust Funds' First Production Request to Defendant Affordable.
- 9 34. 12/22/2017 Trust Funds' First Production Request to Defendant Bentar
Development, Inc.
- 10 35. 12/22/2017 Trust Funds' First Production Request to Defendant Kittrell Jensen
Contractors, LLC.
- 11 36. 12/22/2017 Trust Funds' First Production Request to Defendant LaFargo, Inc.
- 12 37. 12/22/2017 Trust Funds' First Production Request to Defendant Ledcor
Construction, Inc.
- 13 38. 12/22/2017 Trust Funds' First Production Request to Defendant Linda Nash.
- 14 39. 12/22/2017 Trust Funds' First Production Request to Defendant North Wind
Environmental, Inc.
- 15 40. 12/22/2017 Trust Funds' First Production Request to Defendant SCI Construction,
L.P.
- 16 41. 12/22/2017 Trust Funds' First Production Request to Defendant SR Construction,
Inc.
- 17 42. 12/22/2017 Trust Funds' First Production Request to Defendant Starke, Inc.
- 18 43. 12/22/2017 Trust Funds' First Production Request to Defendant Strong Man.
- 19 44. 12/22/2017 Trust Funds' First Production Request to Defendant UHS of Delaware,
Inc.
- 20 45. 1/18/18 Defendant Bentar Development, Inc.'s Initial Disclosures and Witnesses.
- 21 46. 1/18/18 Defendant Kittrell Jensen Contractors, LLC's Initial Disclosures and
Witnesses.
- 22 47. 1/18/18 Defendant Ledcor Construction, Inc.'s Initial Disclosures and Witnesses.
- 23 48. 1/18/18 Defendant SCI Construction, L.P.'s Initial Disclosures and Witnesses.
- 24 49. 1/18/18 Defendant SR Construction, Inc.'s Initial Disclosures and Witnesses.
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50. 1/18/18 Defendant UHS of Delaware, Inc.'s Initial Disclosures and Witnesses.

B. DISCOVERY THAT NEEDS TO BE COMPLETE:

1. Defendants' responses to the Trust Funds' thirty-nine (39) outstanding requests for written discovery.
2. Possible additional Trust Funds' Requests for Production of Documents.
3. Possible additional Trust Funds' Interrogatories and Requests for Admissions.
4. Potential written discovery requests from Defendants.
5. Depositions of all relevant witnesses.

C. REASON DISCOVERY WAS NOT COMPLETED.

The Parties are requesting this extension to allow times for the Trust Funds and Defendants to discuss certain details of the contract compliance review ("Audit") which is the subject in this current matter. The Parties are hopeful that discussion of the Audit will narrow the issues subject to dispute and therefore enable the Parties to conserve resources.

D. CURRENT DISCOVERY SCHEDULE:

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|------------------------------|-------------------|
| 1. Discovery Cutoff | February 19, 2018 |
| 2. Dispositive Motion Cutoff | March 21, 2018 |
| 3. Pretrial Order Cutoff | April 20, 2018 |

E. PROPOSED DISCOVERY SCHEDULE:

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|--|----------------|
| 1. New Discovery Cutoff | April 20, 2018 |
| 2. New Dispositive Motion Cutoff | May 21, 2018 |
| 3. New Pretrial Order Cutoff | June 20, 2018 |
| 4. In the event dispositive motion(s) are filed, the date for filing the joint pretrial order shall be suspended until 30 days after the Court enters a ruling on the dispositive motions, or otherwise by further order of the Court. | |

This is the Parties' first request for an extension of the discovery deadline dates. The requested extension is not made to delay this matter, but made in the hopes of facilitating a

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1 resolution or the narrowing issues at dispute in this matter. Based upon the foregoing, the Parties
2 believe there is good cause for the requested extension.

3 BROWNSTEIN HYATT FARBER
4 SCHRECK, LLP

PINTAR ALBISTON, LLP

5 /s/ Christopher M. Humes

/s/ Becky A. Pintar

6 Adam P. Segal, Esq.
7 Bryce C. Loveland, Esq.
8 Christopher M. Humes, Esq.
9 100 North City Parkway, Suite 1600
10 Las Vegas, Nevada 89106-4614

Becky A. Pintar, Esq.
Bryan L. Albiston, Esq.
Ryan W. Reynolds, Esq.
6053 Fort Apache Road, #120
Las Vegas, Nevada 89148

11 *Attorneys for Plaintiffs*

Attorneys for Defendant, Affordable Concepts, Inc.

12 Dated: January 18, 2018

Dated: January 18, 2018

13 FISHER & PHILLIPS, LLP

14 /s/ David B. Dornak

15 David B. Dornak, Esq.
16 Allison Kheel, Esq.
17 300 South Fourth Street, Suite 1500
18 Las Vegas, Nevada 89101

19 *Attorneys for Defendant, Linda Nash; Strong
20 Man Services, Inc., dba SMS Mechanical;
21 Bentar Development, Inc.; Kittrell Jensen
22 Contractors, LLC; LaFargo, Inc. dba LaFargo
23 Builders; Ledcor Construction, Inc.; North
24 Wind Environmental, Inc.; SCI Construction,
25 L.P.; SR Construction, Inc.; Starke, Inc., dba
26 Starke Contractors; UHS of Delaware, Inc.*

27 Dated January 18, 2018

28 **ORDER**

IT IS SO ORDERED.



UNITED STATES DISTRICT JUDGE

DATED: February 16, 2018